

Art Unit: 3692

DETAILED ACTION

As per 37 CFR 1.33, for a change of address after an oath or declaration has been filed by any of the inventors, the correspondence address may be changed by the parties set forth in 1.33(b) except those in 1.33(b)(2). This means only: (b)(1) patent practitioner of record appointed as per rule 1.32(b); (b)(3) an assignee as provided for under 3.71(b); or (b)(4) all of the applicants for patent unless there is an assignee of the entire interest, can change the address.

A rule 3.73(b) statement was filed 4/23/08 signed by Dean Alderucci along with a change of address signed by Dean Alderucci, asking on behalf of assignee. This statement indicates that BCG is now the assignee of the entire right and it describes a chain of title from the inventors according to recorded assignment info at reel/frame 013046/0568 and 020806/0396.

However, the assignment recorded at 013046/0568 is only signed by Joan Kirwin. No signature is found representing Andrew Gilbert for this assignment, i.e. there is no signature representing the co-inventors of both Andrew Gilbert and Glenn Kirwin. The address cannot be changed in this manner until proper assignment to assignee of the entire interest is filed. Therefore, *Ex parte* prosecution is **SUSPENDED FOR A PERIOD OF 6 MONTHS** from the date of this letter to correct the assignment. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARAH M. MONFELDT whose telephone number is (571)270-1833. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm (EST) ALT Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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